Appl. No. 09/389,250   Docket No.: T2147-906206
Reply to Office Action of February 2, 2004

REMARKS

Applicants respectfully request favorable reconsideration of this application, as amended.

In accordance with the Examiner's recommendations, the claims have generally been amended to provide proper antecedent basis. Furthermore, Claim 13 has been amended to more particularly claim certain aspects of the invention by incorporating features of cancelled claim 14. Accordingly, Claims 13 and 15-30 are pending.

Applicants note that the PTOL-326 dated February 2, 2004, still does not acknowledge receipt of the certified copy of the priority document for the above-identified application nor indicate that a claim for foreign priority has been made. In accordance with the Request for Acknowledgment of Priority Claim made in Applicants' last response, the request is renewed.

The Office Action rejects claims 13-30 under 35 U.S.C. § 112, second paragraph, as indefinite, and under 35 U.S.C. § 103(a) as unpatentable over the admitted Prior Art in view of U.S. Patent No. 6,122,664 to Boukobza (hereinafter "Boukobza").

As discussed, Applicants have amended the claims to provide proper antecedent basis for the claimed terminology. Claim 13 has also been amended to include the features of managing at least one listener module of any machine of the application from another machine wherein the managing is capable of starting and stopping a portion of the listener modules based on the binary configuration file and activating several listener modules.

Boukobza discloses a process for monitoring a plurality of object types of a plurality of nodes for a management node in a data processing system by distributing configured

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agents. In Boukobza, the autonomous agents comprise a plurality of specific modules

specific to the different object types or to a particular domain, with each specific module

measuring static and dynamic parameters specific to the object type it monitors and collecting

these measurements, of testing conditions on these parameter relative to predefined

thresholds and possibly initiating actions associated with these testing conditions, which

parameters, conditions and action are modifiable by the user of the management node. The

autonomous agents of Boukobza make it possible to ensure the proper running of the

monitored application at all of the nodes by means of an autonomous and efficient process, to

rapidly feedback the useful information from the nodes to the management node, and to

automatically initiate action on certain conditions or to possibly recommend an action, each

node to be monitored as its own SL (scanlog) of parameters, conditions and associate actions

which allow it to control its own monitoring while the management node also holds the status

files of the nodes to be monitored as well as the parameter display files. The uploading of the

list of nodes in which an autonomous agent is installed is done automatically by the

management node. The starting and stopping of the monitoring process are controlled by the

management node.

Claims 13 specifically states managing at least one listener module of any machine of

the application from another machine wherein the managing is capable of starting or stopping

a portion of the listener modules based on the binary configuration file and activating several

listener modules.

It is important to note the difference between the autonomous agents of Boukobza and

the listener modules as claimed. There is only one automatic agent per node, while there are

as many listener modules as there are Tuxedo applications which use it. An application, for

example, cannot use a machine unless the listener module is active. If there is more than one

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Tuxedo application in the machine, each listener module listens at a different port, which is

defined in the binary configuration file in the master machine of each application.

It is apparent that neither the admitted prior art nor Boukobza teach or suggest this

feature. At least based on this distinction, Claim 13, and the claims that depend therefrom,

are not anticipated nor rendered obvious by the references of record.
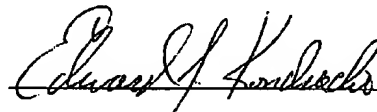
An early and favorable Notice of Allowance is respectfully solicited.

Should the Examiner believe anything further is desirable in order to place the

application in even better condition for allowance, the Examiner is encouraged to contact

Applicants' undersigned representative at the telephone number listed below.

The Commissioner is hereby authorized to charge to deposit account number 50-1165

(Docket No. T2147-906206) and fees not included herein, under 37 CFR §§ 1.16 and 1.17,

that may be required by this paper and to credit any overpayment to that Account. A

duplicate copy of this page is included for such purpose. If any additional extension of time

is required in connection with the filing of this paper and has not been separately requested,

such extension is hereby requested.

                                          Respectfully submitted,

                                          MILES & STOCKBRIDGE P.C.

Date: May 3, 2004   By: Edward J. Kondracki
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